

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>HJL/8320INT</b>	<b>FOR FURTHER ACTION</b>		see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. <b>PCT/GB 03/05204</b>	International filing date (day/month/year) <b>27/11/2003</b>	(Earliest) Priority Date (day/month/year) <b>18/12/2002</b>	
Applicant  <b>PROMETHEUS DEVELOPMENTS LIMITED</b>			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/GB 03/05204

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C09K21/14 C08J9/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C09K C08J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 199 10 257 A (SCHWENK DAEMMTECHNIK GMBH & CO) 21 September 2000 (2000-09-21) the whole document	1,9-12
X	DATABASE WPI Week 199135 Derwent Publications Ltd., London, GB; AN 1991-256695 XP002241392 & JP 03 167237 A, 19 July 1991 (1991-07-19) abstract	1,9-11
A		2
X	GB 1 588 314 A (SECR DEFENCE) 23 April 1981 (1981-04-23) the whole document	1,9
A		2,3
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

\*A\* document defining the general state of the art which is not considered to be of particular relevance

\*E\* earlier document but published on or after the international filing date

\*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another claim or other special reason (as specified)

\*O\* document referring to an oral disclosure, use, exhibition or other means

\*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*&\* document member of the same patent family

Date of the actual completion of the international search

4 March 2004

Date of mailing of the international search report

11/03/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl  
Fax (+31-70) 340-3016

Authorized officer

Puetz, C

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/GB 03/05204

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>DATABASE WPI Section Ch, Week 199304 Derwent Publications Ltd., London, GB; Class A32, AN 1993-030566 XP002241393 &amp; JP 04 356543 A (KANEKA CORP), 10 December 1992 (1992-12-10) abstract</p>	1,2
A	<p>US 6 444 714 B1 (DIETZEN FRANZ-JOSEF ET AL) 3 September 2002 (2002-09-03) the whole document</p>	1-3,9-11
A	<p>DE 101 01 432 A (BASF AG) 18 July 2002 (2002-07-18) the whole document</p>	1,3,5,6, 9-11

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/GB 03/05204

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

## Continuation of Box I.2

Present claims 1-12 relate to compositions, a method and products defined by reference to a desirable characteristic or property, namely a solubility parameter of a resin relative to a solubility parameter of a polymeric material comprising polystyrene.

The claims cover all compositions, methods and products having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT for only a very limited number of such compositions, methods and products. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent on the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compositions, the method and the products by reference to a result to be achieved, namely that to be achieved by finding a suitable resin meeting the conditions expressed by the solubility parameter.

Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the compositions and products as claimed restricted by additional features present in examples 1-5 and 7-21, where the resin is apparently chosen from a limited list of types of resins (see also description page 10, line 30 - page 11, line 3).

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 03/05204

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
DE 19910257	A	21-09-2000	DE 19910257 A1	21-09-2000
JP 3167237	A	19-07-1991	NONE	
GB 1588314	A	23-04-1981	NONE	
JP 4356543	A	10-12-1992	NONE	
US 6444714	B1	03-09-2002	AT 251196 T	15-10-2003
			AU 2537700 A	26-06-2000
			CN 1135250 B	21-01-2004
			CZ 20012048 A3	16-01-2002
			DE 59907232 D1	06-11-2003
			WO 0034342 A2	15-06-2000
			EP 1137700 A2	04-10-2001
			JP 2002531647 T	24-09-2002
			NO 20012839 A	08-06-2001
			PL 349415 A1	29-07-2002
DE 10101432	A	18-07-2002	DE 10101432 A1	18-07-2002
			CA 2434051 A1	18-07-2002
			CZ 20031877 A3	17-12-2003
			WO 02055594 A1	18-07-2002
			EP 1366110 A1	03-12-2003
			NO 20033119 A	12-09-2003